

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend claims 5 and 10 to moot the claim objections.
2. Cancel claim 1 without prejudice or disclaimer.
3. Thank the Examiner for allowance of claims 5 – 7 and the indication of allowable subject matter in claim 10.
4. Respectfully traverse all prior art rejections.
5. Advise the Examiner of the simultaneous filing of a Petition to Extend.

B. PATENTABILITY OF THE CLAIMS

Claims 2 - 4 and 8 – 9 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5,917,251 in view of U.S. Patent 5,784,237 to Velez. All prior art rejections are respectfully traversed for at least the following reasons.

As properly admitted by the office action, Schemann does not teach certain limitations of independent claims 2 and 8, e.g., a dispersed source transmitting a suppression start signal from the dispersed source to a management unit and then the management unit relaying the suppression start signal to the remaining sources. Nor (Applicants contend) would Schemann teach such relay to other sources, since the standby power networks 23 of each of the consumer units of Schemann are just for standby for the consumer unit with which it is associated, not for excess power capacity generation for other devices.

In view of Schemann's failure to relay any suppression start signal to other units, the office action relies on a secondary reference, US Patent 5,784,237 to Velez. The

office action alleges that Velez teaches distributed control units 10 associated with power distribution lines where the control units are configured to control the suppression of the dispersed sources and a master control unit 30, and that the control units communicate with other control units or the master. The office action argues that it would be obvious to modify Schemann to include the use of transmission of communication signals from the sources to the management unit to suppress other dispersed sources to maintain the utility grid free of abnormalities.

The purported combination of Schemann with Velez makes many incorrect assumptions. First of all, Schemann has no motivation for suppressing standby power networks of other customer units. Schemann is more concerned with connecting or suppressing the standby power network 23 of his consumer unit items 11 and 12 depending on conditions in the downstream network (e.g., the downstream network demanding peak power), rather than determining whether an individual standby power network 23 generates power in excess of a limit. Standby power networks are generally not thought of as being supplemental power sources for an entire external network, nor would one want to disable uniformly standby power sources of customer equipment.

Moreover, the fact that Velez has communication between distributed control units and a master control unit does not make any suggestion regarding an explicit type of signal that may be sent from one control unit to another control unit. In particular, there is no teaching or suggestion in Velez that a signal be sent to suppress all remote power sources when a particular upper limit has been reached at one of the power sources. The art of record is utterly devoid of any teaching or suggestion in this regard.

In fact, rather than realizing or contemplating the type of protection claimed by Applicants, Velez control system operates to sectionalizing switches for isolating faults.

Therefore, the alleged combination is unavailing and improper, so that the rejection of claims 2 - 4 and 8 - 9.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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